

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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JERI ORDING,

Plaintiff,

v.

**ORDER**

Civil File No. 11-2296 (MJD/LIB)

MICHAEL J. ASTRUE,  
Commissioner of the Social  
Security Administration,

Defendant.

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Lionel H. Peabody, Peabody Law Office, Counsel for Plaintiff.

David W. Fuller, Assistant United States Attorney, Counsel for Defendant.

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The above-entitled matter comes before the Court upon the Report and  
Recommendation of United States Magistrate Judge Leo I. Brisbois dated August  
6, 2012. Both parties have objected to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the  
record of the portion of the Report and Recommendation to which specific  
written objections have been made. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b).

Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Brisbois dated August 6, 2012.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**  
**HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated August 6, 2012 [Docket No. 17].
2. Defendant's Motion for Summary Judgment [Docket No. 14] is **DENIED**.
3. Plaintiff's Motion for Summary Judgment [Docket No. 8] is **GRANTED** in part as more fully described in the Report and Recommendation dated August 6, 2012.
4. The case is **REMANDED** for further proceedings consistent with this Order and the Report and Recommendation dated August 6, 2012, pursuant to Sentence Four of 42 U.S.C. § 405(g).

Dated: September 4, 2012

s/ Michael J. Davis

Michael J. Davis  
Chief Judge  
United States District Court